

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY  
Certificate of Notice Page 1 of 5

In Re:	Case No.:	19-25392 (RG)
Elaina Liva	Chapter:	<u>7</u>
	Judge:	<u>Gambardella</u>

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**NOTICE OF PROPOSED COMPROMISE or SETTLEMENT OF CONTROVERSY**

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Steven P. Kartzman, Chapter 7 Trustee, in this case proposes a compromise, or to settle a claim and/or action as described below. If you object to the settlement or compromise, you must file a written objection with the Clerk of the United States Bankruptcy Court, and serve it on the person named below not later 7 days before the hearing date.

**Address of the Clerk:** Jeanne A. Naughton, Clerk  
Martin Luther King Jr. Federal Building  
50 Walnut Street  
Newark, New Jersey 07102

If an objection is filed, a hearing will be held before the Honorable Rosemary Gambardella on February 28, 2023 at 10:00 a.m. at the United States Bankruptcy Court, courtroom no. 3E, 50 Walnut Street, Newark, New Jersey (hearing to be scheduled for at least 28 days from the date of the filing of the notice). If no objection is filed the clerk will enter a *Certification of No Objection* and the settlement may be completed as proposed.

**Nature of action:** The Court entered a Consent Order on 1/2/2020 resolving the Debtor's claim of exemption for alimony and support owed to the Debtor that was being pursued by the Bankruptcy Estate. The Debtor's exemption amount was 80% of any amount recovered by the estate, after payment of the costs of collection. [Dkt. No. 36]. On 7/13/2021, the Court entered a Consent Order resolving the Restitution Lien held by the USA relating to alimony recovered by the Estate. [Dkt. No. 112]. The USA was to receive 25% of the Bankruptcy Estate's 20% recovery and all of the Debtor's recovery to partially satisfy its Restitution Lien less the sum of \$48,878.80 which was to be paid to the Debtor. After fees, costs, and expenses, the net proceeds from the recovery of alimony and support totaled \$209,237.47.

**Pertinent terms of settlement:** Pursuant to the Consent Orders filed in Case No. 19-25392-RG, the USA shall receive \$118,511.18 of

the total net proceeds from the recovery of alimony on account of the Debtor's 80% exemption of the net recovery, plus \$10,461.87 representing 25% of the 20% to be retained by the estate, calculated as follows:

\$422,008.01	Gross Recovery Florida Probate Estate
(\$50,000.00)	Florida Probate Estate Admin.
(\$55,000.00)	Beneficiary
\$317,008.01	Bankruptcy Estate Received
(\$25,415.00)	Collection Costs (Stearns Weaver)
(\$542.34)	Stearns Weaver Expenses
(\$52,713.50)	Mellinger Kartzman Fees – Florida Only
(\$102.40)	Mellinger Kartzman Expenses
(\$3,638.30)	WithumSmith + Brown, PC – Accountants
(\$8,703.00)	New Jersey State Taxes
(\$16,656.00)	Trustee Commission
\$209,237.47	<b>NET PROCEEDS</b>
\$209,237.47	Net Proceeds
x .20	Bankruptcy Estate
<hr/>	
\$41,847.49	Less 25% or \$10,461.87 USA
\$209,237.47	Net Proceeds
x .80	USA
<hr/>	
\$167,389.98	
(\$48,878.80)	Less Debtor's Exemption
<hr/>	
\$118,511.18	To USA

Objections must be served on, and requests for additional information directed to:

Name: Steven A. Jayson, Esq.

Address: 101 Gibraltar Drive, Suite 2F, Morris Plains, New Jersey 07950

Telephone No.: 973-267-0220

In re:  
Elaina Liva  
Debtor

Case No. 19-25392-RG  
Chapter 7

## CERTIFICATE OF NOTICE

District/off: 0312-2  
Date Rcvd: Jan 27, 2023

User: admin  
Form ID: pdf905

Page 1 of 3  
Total Noticed: 47

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
^	Addresses marked '^' were sent via mandatory electronic bankruptcy noticing pursuant to Fed. R. Bank. P. 9036.
##	Addresses marked '##' were identified by the USPS National Change of Address system as undeliverable. Notices will no longer be delivered by the USPS to these addresses; therefore, they have been bypassed. The debtor's attorney or pro se debtor was advised that the specified notice was undeliverable.

### Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 29, 2023:

Recip ID	Recipient Name and Address
db	+ Elaina Liva, 5 Horizon Road, Apt. 2908, Fort Lee, NJ 07024-6649
sp	+ Davis & Brusca, LLC, Princeton South Corporate Center, 100 Charles Ewing Boulevard, Suite 150, Ewing, NJ 08628-3456
none	+ Sklar Law, LLC, 20 Brace Road, Suite 205, Cherry Hill, NJ 08034-2634
sp	+ Stearns Weaver Miller Weissler Alhadeff & Sitterso, 150 West Flagler Street, Suite 2200, Miami, FL 33130-1545
r	+ Vikki Healey Properties, 25 W. Pleasant Avenue, Maywood, NJ 07607-1320
r	+ Vikki Healey Properties, 25 W. Pleasant Avenue, Maplewood, NJ 07607-1320
acc	+ WithumSmith+Brown, PC, 200 Jefferson Park., Suite 400, Whippany., NJ 07981-1070
518398667	+ Cap Call, c/o Tara N. Pomparelli, Esq., 122 East 42nd Street, Suite 2112, New York, NY 10168-2100
518398669	+ Cardinal Health 110 LLC, c/o Kegler Brown Hill & Ritter, 65 E. State Street, Columbus, OH 43215-4213
518398668	+ Cardinal Health 110 LLC, 7000 Cardinal Place, Dublin, OH 43017-1091
518398670	+ Cardinal Health 110 LLC, c/o Mitchell J. Malzberg, LLC, 6 E. Main Street, Ste. 7, Clinton, NJ 08809-2627
518398673	+ Chase Auto Finance/JP Morgan, National Bankruptcy Dept., 201 N. Central Ave., MS AZ1-1191, Phoenix, AZ 85004-8001
518422998	+ Extreme Marine, 15600 Collins Ave., Miami Beach, FL 33154-1000
518423000	+ Jared D'Argenio, 13931 Packard Terr., Delray Beach, FL 33484-1543
518398680	+ Liva, Jonathan, 2 14th Street, Apt. 1001, Hoboken, NJ 07030-6779
518398682	+ MCA Fixed Payment/Merchants Capital, c/o Viraj P. Deshmukh, Thompson, O'Brien, IKamp & Nasuti PC, 40 Technology Pkwy. South, Ste. 300, Norcross, GA 30092-2924
518398681	+ MCA Fixed Payments/Merchants Capital, 6901 Jericho Turnpike, Ste. 218, Syosset, NY 11791-4464
518398683	+ Milstead & Associates, LLC, 1 E. Stow Road, Marlton, NJ 08053-3118
518398688	+ PNC Bank Credit Card, PO Box 5570, Mailstop BR-YB58-01-5, Cleveland, OH 44101-0570
518398685	+ Perla, Daniel, c/o Agentis PLLC, ATTN: Jake M. Greenberg, 55 Alhambra Plaza, Ste. 800, Coral Gables, FL 33134-5254
518398684	+ Perla, Daniel, c/o Davidoff Law Firm PLLC, 228 East 45th Street, Ste. 1700, New York, NY 10017-3343
518423001	+ R&S Pharmaceutical, 8407 Austin Tracy Road, Fountain Run, KY 42133-9606
518398690	+ Sterling National Bank/Astoria Bank, 400 Rella Blvd., Montebello, NY 10901-4241
518398691	+ U.S. Department of Justice, Florida-Southern, 99 NE 4th Street, Ste. 300, Miami, FL 33132-2131
518398693	+ United States Attorney General, United States Dept. of Justice, Ben Franklin Station, PO Box 683, Washington, DC 20044-0683

TOTAL: 25

### Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
aty	+ Email/Text: attorneys@msklaw.net	Jan 27 2023 20:50:00	Mellinger Kartzman LLC, 101 Gibraltar Drive, Suite 2F, Morris Plains, NJ 07950-1287
aty	+ Email/Text: attorneys@msklaw.net	Jan 27 2023 20:50:00	Mellinger, Sanders & Kartzman, LLC, 101 Gibraltar Drive, Morris Plains, NJ 07950-1287
smg	Email/Text: usanj.njbankr@usdoj.gov	Jan 27 2023 20:51:00	U.S. Attorney, 970 Broad St., Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534
smg	+ Email/Text: ustpregion03.ne.ecf@usdoj.gov	Jan 27 2023 20:51:00	United States Trustee, Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100, Newark, NJ 07102-5235
518398665	Email/Text: bnc-applied@quantum3group.com		

District/off: 0312-2

User: admin

Page 2 of 3

Date Rcvd: Jan 27, 2023

Form ID: pdf905

Total Noticed: 47

		Jan 27 2023 20:51:00	Applied Bank, 4700 Exchange Court, Boca Raton, FL 33431-0966
518398664	+ Email/PDF: bncnotices@becket-lee.com	Jan 27 2023 21:00:31	American Express, 1801 NW 66th Ave., Fort Lauderdale, FL 33313-4508
518576000	Email/PDF: bncnotices@becket-lee.com	Jan 27 2023 21:00:30	American Express National Bank, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
518398666	^ MEBN	Jan 27 2023 20:46:11	Applied Bank, c/o Credit Control LLC, PO Box 546, Hazelwood, MO 63042-0546
518398677	+ Email/Text: enotifications@santanderconsumerusa.com	Jan 27 2023 20:51:00	Chrysler Capital, Bankruptcy Dept., PO Box 961278, Fort Worth, TX 76161-0278
518398678	Email/Text: sbse.cio.bnc.mail@irs.gov	Jan 27 2023 20:50:00	Internal Revenue Service, PO Box 7346, Philadelphia, PA 19101-7346
518398672	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 27 2023 20:49:55	Chase Auto Finance, PO Box 901003, Fort Worth, TX 76101
518398671	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 27 2023 20:50:07	Chase Auto Finance, c/o National Recovery Group, PO Box 29505, Phoenix, AZ 85038
518398674	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 27 2023 20:49:55	Chase Card, ATTN: Correspondence, PO Box 15298, Wilmington, DE 19850
518398675	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 27 2023 20:50:07	Chase Card Services, Correspondence Dept., PO Box 15278, Wilmington, DE 19850
518398676	Email/PDF: ais.chase.ebn@aisinfo.com	Jan 27 2023 20:49:55	Chase Freedom, Cardmember Services, PO Box 15299, Wilmington, DE 19850
518517607	+ Email/Text: JPMCBKnotices@nationalbankruptcy.com	Jan 27 2023 20:50:00	JPMorgan Chase Bank, N.A., s/b/m/t Chase Bank USA, N.A., c/o National Bankruptcy Services, LLC, P.O. Box 9013, Addison, Texas 75001-9013
518398686	Email/Text: Bankruptcy.Notices@pnc.com	Jan 27 2023 20:50:00	PNC Bank, ATTN: Bankruptcy, 249 5th Avenue, Ste. 30, Pittsburgh, PA 15222
518398687	Email/Text: Bankruptcy.Notices@pnc.com	Jan 27 2023 20:50:00	PNC Bank, PO Box 3180, Pittsburgh, PA 15230
518614112	Email/Text: Bankruptcy.Notices@pnc.com	Jan 27 2023 20:50:00	PNC Bank, N.A., PO Box 94982, Cleveland, OH 44101
518600591	Email/Text: bnc-quantum@quantum3group.com	Jan 27 2023 20:51:00	Quantum3 Group LLC as agent for, Sadino Funding LLC, PO Box 788, Kirkland, WA 98083-0788
518398689	+ Email/Text: collbknotices@sccu.com	Jan 27 2023 20:51:00	Space Coast Credit Union, 8045 N. Wickham Road, Melbourne, FL 32940-7920
518398692	+ Email/Text: usanj.njbankr@usdoj.gov	Jan 27 2023 20:51:00	United States Attonrey, 970 Broad Street, Suite 700, Newark, NJ 07102-2527

TOTAL: 22

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
518422999	##+	Jamie Liva, 11740 SW Bennington Cir., Port Saint Lucie, FL 34987-2716
518398679	##+	KML Law Group, P.C., ATTN: Kristina G. Murtha, Esq., 216 Haddon Ave., Ste. 406, Westmont, NJ 08108-2812

TOTAL: 0 Undeliverable, 0 Duplicate, 2 Out of date forwarding address

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and

District/off: 0312-2

User: admin

Page 3 of 3

Date Rcvd: Jan 27, 2023

Form ID: pdf905

Total Noticed: 47

**belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jan 29, 2023

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 27, 2023 at the address(es) listed below:

Name	Email Address
Anthony Sodono, III	on behalf of Debtor Elaina Liva asodono@msbnj.com
Bruce H Levitt	on behalf of Interested Party Jamie Willard blevitt@levittslafkes.com sslafkes@levittslafkes.com;lspcattorneys@gmail.com;hbr69524@notify.bestcase.com;lsbankruptcynotices@gmail.com
Denise E. Carlon	on behalf of Creditor PNC Mortgage a Division of PNC Bank, National Association dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Judah B Loewenstein	on behalf of Trustee Steven P. Kartzman jloewenstein@msklaw.net sjayson@msklaw.net;pmasiello@msklaw.net;donnaz@msklaw.net
Robert Link	on behalf of Creditor Sterling National Bank successor by merger to Astoria Bank blink@msgsb.com
Steven A. Jayson	on behalf of Trustee Steven P. Kartzman sjayson@msklaw.net jloewenstein@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net
Steven P. Kartzman	on behalf of Attorney Mellinger Kartzman LLC Trustee@msklaw.net nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net
Steven P. Kartzman	on behalf of Trustee Steven P. Kartzman Trustee@msklaw.net nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net
Steven P. Kartzman	Trustee@msklaw.net nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net
Steven P. Kartzman	on behalf of Accountant WithumSmith+Brown PC Trustee@msklaw.net, nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net
Steven P. Kartzman	on behalf of Spec. Counsel Stearns Weaver Miller Weissler Alhadeff & Sitterson P.A. Trustee@msklaw.net, nj16@ecfbis.com;jloewenstein@msklaw.net;sjayson@msklaw.net;skartzman@msklaw.net;donnaz@msklaw.net;pmasiello@msklaw.net
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 12